

MARCELLUS MCRAE, SBN 140308
mmcrae@gibsondunn.com
ASHLEY E. JOHNSON, admitted *pro hac vice*
ajohnson@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071-3197
Telephone: 213.229.7000
Facsimile: 213.229.7520

Attorneys for Defendant AT&T MOBILITY,
LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ROBERT ROSS,

Plaintiff,

v.

AT&T MOBILITY LLC, ONE TOUCH
DIRECT, LLC, and, ONE TOUCH
DIRECT- SAN ANTONIO, LLC,

Defendant.

CASE NO. 4:19-CV-06669 (JST)

**DECLARATION OF ASHLEY E.
JOHNSON IN SUPPORT OF JOINT
ADMINISTRATIVE MOTION TO
FILE DISCOVERY LETTER BRIEF
UNDER SEAL**

1 I, Ashley E. Johnson, declare and state as follows:

2 1. I am an attorney at the law firm of Gibson, Dunn & Crutcher LLP who is
3 admitted *pro hac vice* in this case on behalf of Defendant AT&T Mobility LLC
4 (“AT&T”).

5 2. I have personal knowledge of the facts set forth herein. If called as a
6 witness, I could and would competently testify to such matters.

7 3. On March 23, 2021, Plaintiff Robert Ross (“Ross”) and AT&T filed a joint
8 motion to file a redacted version of the attachment to their joint Discovery Letter to
9 Magistrate under seal.

10 4. The redacted version redacts a portion of the response to Interrogatory No.
11 9 by AT&T, which was designated as Attorney’s Eyes Only pursuant to the Protective
12 Order dated June 25, 2020 [Dkt 57] on the basis that it includes confidential and sensitive
13 information regarding AT&T’s measures to prevent SIM swaps.

14 5. AT&T’s response to Interrogatory No. 9 is sealable and entitled to
15 protection under the law because such measures are proprietary and kept confidential by
16 AT&T to protect its customers and its commercial interests. In particular, public
17 disclosure of AT&T’s security measures could harm customer security by making
18 individuals who seek to perform unauthorized SIM swaps aware of facts surrounding
19 such security measures.

20
21 Executed on this 23rd day of March, 2021, in Dallas, Texas.

22 I declare under penalty of perjury that the foregoing is true and correct.

23
24 By: /s/ Ashley E. Johnson
25 Ashley E. Johnson

26 *Attorney for Defendant AT&T MOBILITY, LLC*
27
28